



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

**Internal Management and Fiscal
Responsibility Committee**

Thursday, February 10, 2005
2:00 PM
Commission Chamber

Charles Anderson, CPA
Commission Auditor

111 NW First Street, Suite 250
Miami, Florida 33128
305-375-4354

Miami-Dade County Board of County Commissioners
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Legislative Analysis

A written analysis for the below item(s) are attached for your consideration. If you require further analysis of these or any other agenda items, please contact Gary Collins, Acting Chief Legislative Analyst, at (305) 375-1826.

ITEM 2(A)

ORDINANCE RELATING TO RULES OF PROCEDURE OF COUNTY COMMISSION

ITEM 2(A) ALTERNATE

ORDINANCE RELATING TO RULES OF PROCEDURE OF COUNTY COMMISSION

ITEM 2(B)

ORDINANCE RELATING TO DISPOSITION OF COUNTY SURPLUS PROPERTY.

ITEM 2(B) ALTERNATE

ORDINANCE RELATING TO DISPOSITION OF COUNTY SURPLUS PROPERTY.

ITEM 3(O)(1)

ALLIANCE FOR HUMAN SERVICES FUNDING

Acknowledgements:

Report prepared by Tracie Auguste, Senior Legislative Analyst
Bia Marsellos, Legislative Analyst

Overview of Proposed Changes to the Rules of Procedure

Section	Item 2(A)	Item 2(A) Alternate
Officers	Chairperson and Vice-Chairperson to be elected at the commission meeting following the installation of the county commissioners during each even-numbered year. Their term of office for both will begin on Jan. 1 of the following year.	same
Sergeant-at-arms	no change	The sergeant-at-arms shall be at commission meetings, commission committee and subcommittee meetings and community council meetings.
Meetings	Regular meetings may be postponed or cancelled by (1) resolution or motion adopted at a regular meeting by a majority of the Commission members present or (2) by the chairperson and six (6) other members of the commission serving notice containing the required seven (7) signatures to the clerk who shall provide public notice when a meeting is cancelled.	same
Meetings	When a special meeting is called, notice shall be served upon the chairperson and the clerk. The clerk shall then serve verbal and written notice upon each member of the commission.	same
Signature Requirement	When an action in these rules require a signature, any of the following are acceptable: (1) an original handwritten signature (2) a facsimile (copy) of an original handwritten signature or (3) a commissioner's stamp and the signature is accompanied by a legible signature of the staffer authorized to use such stamp. The authority to use such stamp shall be evidenced with a written document on file with the office of the chairperson and the county attorney.	same
Committees	The commission chairperson in consultation with the county attorney and county manager shall assign all items to the appropriate committee.	same
Committees	no change	Following committee consideration, the commission chairperson in consultation with the county attorney and county manager, shall place items on the appropriate commission agenda.
Committee Consideration Required	no change	Except as provided in the rules, no item shall be placed on a commission agenda or considered by the county commission unless each committee to which the item has been referred has forwarded the item to the full commission.
Exceptions to Committee Requirement	An item may be placed on the agenda without committee review if the chairperson of the committee to which the item has been referred requests a waiver in writing and the commission chairperson concurs.	same
Exceptions to Committee Requirement	Quasi-judicial items, special taxing districts, ordinances for first reading, consent agenda items, district office fund allocations, special presentations, road closings, citizens' presentations, bid protests, settlements and resolutions expressing intent shall be heard directly by the county commission.	same
3-day Rule	A copy of each agenda item shall be furnished to the members of each committee and subcommittee not later than three (3) working day before a vote is called on the item.	same
Order of Business	no change	The order of business shall include the commission auditor and office of intergovernmental affairs, as well as "items subject to 4-day rule". The ordinances for first readings shall be considered at the beginning of the meeting.
Approval by County Attorney	The county attorney shall communicate with a designated staff person from each commissioner's office regarding the preparation and tracking of agenda items.	same
Statement of Private Business Sector Impact required for Ordinance	not included	By request of any commissioner at the first reading of any ordinance that regulates private business, land development or building code standards, the county manager shall prepare a written fiscal impact on the private business sector. This item will not be considered on second reading if the requested statement of fiscal impact is not included as part of the agenda.

LEGISLATIVE ANALYSIS

ITEM 2(B) ORDINANCE RELATING TO DISPOSITION OF COUNTY SURPLUS PROPERTY.

Commissioner Joe A. Martinez

ITEM 2(B) ALTERNATE ORDINANCE RELATING TO DISPOSITION OF COUNTY SURPLUS PROPERTY.

Commissioner Dorrin D. Rolle

I. SUMMARY

- Item 2(B) will amend the ordinance to allow for the County at its discretion, to **offer surplus property for sale or donation to other governmental units within the State of Florida** only in the event of an emergency or in furtherance of humanitarian efforts.
- Item 2(B) Alternate will amend the ordinance to allow for the County at its discretion, to **offer surplus property for sale or donation to foreign nations** for emergency aid purposes only and in accordance with federal and state law.

II. PRESENT SITUATION

Currently, the Surplus Property Ordinance allows for donations of surplus property in the following order:

- First, to the Parks and Recreation Department.
- Next, to other County departments and agencies in Miami-Dade County.
- Then the County shall offer any other surplus property by sale or donation to other governmental units in Miami-Dade County for use in the County; or shall have the discretion to offer the surplus property to eligible community based organizations by sale or donation to be used in Miami-Dade County.

III. POLICY IMPLICATIONS

This would expand eligibility for donation or selling of surplus property outside of Miami-Dade County.

IV. ECONOMIC IMPACT

None.

V. COMMENTS

The following responses are pending from staff:

- If we amend the surplus ordinance to offer surplus property for sale or donation to other governmental units or foreign nations for “emergency purposes”, how will

IMFRC ITEM 2(B), 2(B) ALTERNATE

February 10, 2005

that affect us when the “emergency is over?” For example, if we were to sell it, do they retain ownership even after “emergency” is over?

- If it's a donation will it revert back to Miami-Dade County after the “emergency?”
- Will whoever acquires the property, through sale or donation, have the right to re-sell or donate what the County has given to them?

LEGISLATIVE ANALYSIS

ALLIANCE FOR HUMAN SERVICES FUNDING

Office of Strategic Business Management

I. SUMMARY

- This resolution corrects allocations approved by the Board of County Commissioners (BCC) as part of the FY04-05 budget process:
 - The allocations to the District Responsive Grants (DRG) Program for July 1, 2004 to June 30, 2005 were *not included* in the listing of Community-Based Organization (CBO) allocations approved by the BCC on Sept. 23, 2004 – a listing of these allocations are in this item
 - Funding under the Summer Youth Employment Program was *incorrectly included* in the list of CBO's allocations approved by the BCC – this item would rescind funding to these organizations, as this funding is already a part of the Department of Human Services budget
- This item also recommends that unallocated dollars under the DRG Program be allocated as part of the next funding cycle (July 1, 2005 to June 30, 2006):

<u>District</u>	<u>Original Allocation</u>	<u>Unallocated Dollars</u>
9	\$100,000	\$25,000
11	\$100,000	\$12,800
12	\$100,000	\$50,000
13	\$100,000	<u>\$25,000</u>
		Total: \$112,800

II. PRESENT SITUATION

- District Responsive Grants Program allocations (up to \$100,000 per district) are made annually via a mini-RFP by the Alliance of Human Services (Alliance). Mini-grants are in the \$15,000-\$25,000 range, and are awarded to small CBO's with annual budgets that do not exceed \$300,000 whose proposals address district-specific priorities in the Social Services Master Plan (SSMP), or new/emerging needs at the district level that are related to goals in the SSMP. As amended, unallocated DRG Program funds are reallocated in the same district in future allocations.
- Historically, funding for the Summer Youth Employment Program was allocated as part of the Alliance's Notice of Funding Availability (NOFA) process. At the Sept. 23, 2004 Public Budget Hearing, the BCC transferred administration of this program from the Alliance to the Department of Human Services.

III. POLICY IMPLICATIONS

- This item only corrects the listing of CBO allocations already approved by the BCC as part of the FY04-05 budget process.

IMFRC ITEM 3(O)(1)
February 10, 2005

- The reallocation of unallocated DRG dollars is in accordance with the provisions of the DRG Program.

IV. ECONOMIC IMPACT

- No additional funding is being requested.

V. COMMENTS

- Scrivener's errors in the last line of the first page of this item (should be September 23, 2004) and the listing of rescinded allocations (the amount after The Family Christian Association of America should be \$334,000) are expected to be corrected.